

ENROLLED

Senate Bill No. 403

(By Senators Walters and Nohe)

[Passed March 12, 2015; in effect ninety days from passage.]

AN ACT to amend and reenact §17A-4A-15 of the Code of West Virginia, 1931, as amended, relating to liens on vehicles; expanding period of time during which a recorded lien on a vehicle is valid; expanding period of time during which a refiled lien on a vehicle is valid; and clarifying that the lienholder may refile a lien or encumbrance without obtaining the owner's consent.

Be it enacted by the Legislature of West Virginia:

That §17A-4A-15 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

**ARTICLE 4A. LIENS AND ENCUMBRANCES ON VEHICLES TO BE SHOWN ON
CERTIFICATE OF TITLE; NOTICE TO CREDITORS AND
PURCHASERS.**

§17A-4A-15. Expiration of lien or encumbrance; refileing.

1 The filing of any lien or encumbrance and its recordation upon the face of a certificate of title

1 to any vehicle as provided in this article is valid for fifteen years only from the date of filing, unless
2 the lienholder refiles the lien or encumbrance in the manner provided in this article for filing and
3 recordation in the first instance, in which event the lien or encumbrance is valid for successive
4 additional periods of five years from the date of each refiling: *Provided*, That this article does not
5 require the lienholder to obtain the consent of the owner to refile the lien or encumbrance: *Provided*,
6 *however*, That in the case of a mobile home or manufactured home, the filing of any lien or
7 encumbrance and its recordation upon the face of a certificate of title to the mobile home or
8 manufactured home is valid for a period of thirty-three years from the date of filing.

9 When the last lien or encumbrance shown on a certificate of title becomes invalid by the
10 passage of time as provided in this section, the Commissioner of Motor Vehicles is not required to
11 maintain a lien index as to the certificate of title.